**REMARKS**

These remarks are responsive to the Office Action dated September 3, 2008. Claims 44-60 have been rejected. Claims 44-61 are pending in the present application. Claims 44 and 48 have been changed, and claim 61 has been added by this amendment. A telephone interview was held with the Examiner in which issues were discussed as presented herein.

Applicant has amended claims 44 and 48. Applicant is not conceding that the subject matter encompassed by previous claims is not patentable over art cited by the Examiner. Claims 44 and 48 have been changed in this Amendment solely to facilitate expeditious prosecution of the present application. Applicant reserves the right to pursue claims directed to the subject matter encompassed by former claims and any other claims in one or more continuing and/or divisional applications.

No new matter has been added. Claims 44 and 61 are supported throughout the specification, e.g. Figs. 3A-3B and page 11, line 23 to page 12, line 16, for example. Thus, no new matter has been added.


**§ 112 Rejections**

The Examiner rejected claim 44 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner stated that there is no mention in the specification sections cited by Applicant or in the original specification as a whole that describes "the first and second predicates are evaluated with respect to at least one unselected predicate of the query search condition." However, there is support for this claim limitation at, for example, page 11, line 23 to page 12, line 7, where it is stated that there is "the ability to group or nest predicates in region 36 to control the order in which they are evaluated," and where description is provided with reference to the example of Fig. 3A, where the group of predicates "EMPLOYEE.JOB = 'MANAGER'" and "EMPLOYEE.JOB = 'SALESREP'" are grouped with respect to another unselected predicate, "EMPLOYEE.WORKDEPT". Thus the JOB predicates are grouped to control the order in which they are evaluated with respect to the ungrouped / unselected WORKDEPT predicate. Applicant therefore believes that claim 44 is supported

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by the specification and complies with the written description requirement, and requests that the rejection under 35 U.S.C. 112, first paragraph, be withdrawn.

## § 103 Rejections

Claims 44-57 and 59-60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mocek et al., U.S. Patent No. 5,924,089 ("Mocek"), in view of Rubinstein, U.S. Patent No. 5,721,897 ("Rubinstein")., Banning et al., U.S. Patent 5,421,008 ("Banning"), and Jacopi et al., U.S. Patent No. 5,701,456 ("Jacopi"). Applicant respectfully traverses, and has amended claim 44 to clarify the invention and to expedite prosecution.

Claim 44 recites a method for creating a query search condition through a user interface, including displaying column names and column operators, and generating a list of all column values that are selectable for use in the predicate of the query search condition based on the selected column name and the selected column operator. Claim 44 also recites receiving selection of at least two displayed predicates in a query search condition, and grouping the selected predicates based on a user selection of a displayed grouping control, the grouping controlling the order in which the first and second predicates are evaluated with respect to at least one unselected predicate of the query search condition.

Mocek and Rubenstein do not disclose or suggest selecting displayed predicates in a query search condition, and grouping selected predicates based on a user selection of a displayed grouping control as recited in claim 44. For example, Mocek discloses displaying a SQL select statement (Fig. 3K), but mentions nothing about selecting predicates and grouping them with a displayed grouping control to control the order of their evaluation with respect to unselected predicates. Rubenstein provides an interface for selecting keyword phrases to search for, but does not disclose the features of selecting and grouping predicates as recited in claim 44.

The Examiner cited Banning as grouping selected predicates based on a user selection of a displayed grouping control, for example at column 8, lines 6-12, and column 30, lines 7-32. However, the grouping control of Banning does not control the order in which selected predicates are evaluated with

respect to unselected predicates of the query, as recited in claim 44. For example, the Banning "Grouping" control as described in col. 30, lines 7-32 and in Figs. 14 and 15 allows selected predicates to be "grouped" into an AND condition, as shown in Fig. 15. However, this forming of AND and OR conditions is not the same as a grouping of selected predicates that controls the order in which selected predicates are evaluated with respect to unselected predicates. Banning makes no mention of controlling order of evaluation of selected predicates with respect to unselected predicates as recited by Applicant.

The Examiner also cited Jacopi as teaching that the grouping controls the order in which predicates are evaluated with respect to at least one unselected predicate at, for example, column 2, lines 14-39. However, Jacopi does not disclose grouping selected predicates based on a user selected of a displayed grouping control, the grouping controlling the order of evaluation with respect to unselected predicates as recited in claim 44. Jacopi teaches that a user can create graphical flowlines and predicates on a graphical presentation of a query statement, which creates AND and OR predicates based on the flowline arrangement. However, nowhere does Jacopi disclose or suggest selecting a displayed grouping control to control the order in which selected predicates are evaluated with respect to unselected predicates. For example, the lines of column 2 cited by the Examiner describe specifying the precedence of predicates using parentheses, but there is no description of selecting displayed predicates and a grouping control to control order of evaluation as recited in claim 44. Jacopi describes inserting parentheses into a query based on analysis of the graphical flowline diagram, but nowhere describes controlling order of evaluation by selection of displayed predicates and user selection of a grouping control button as recited in claim 44.

Applicant therefore believes that claim 44 is patentable over Mocek in view of Rubenstein, Banning, and Jacopi.

Claims 45-57 and 59-60 are dependent from claim 44 and are patentable over Mocek in view of Rubenstein, Banning and Jacopi for at least the same reasons as claim 44, and for additional reasons.

The Examiner also rejected claims 56, 57, and 59-60 based on the above-cited references and further in view of Goldberg (U.S. Patent No. 6,496,833). However, Goldberg does not recite controlling

order of precedence by selecting displayed predicates and a grouping control button as recited in parent claim 44, nor does Goldberg disclose or recite the additional details of claims 56, 57, and 59-60.

Accordingly, based at least on the reasons above, Applicant respectfully submits that claims 44-57 are patentable over Mocek in view of Rubinstein, Banning, Jacopi, and Goldberg.

The Examiner rejected claim 58 as being unpatentable over Mocek in view of Rubenstein, Banning, Jacopi, and further in view of Goldberg et al., U.S. Patent No. 6,496,833 ("Goldberg") and Roth, U.S. Patent No. 5,289,567. Applicant respectfully traverses.

Goldberg discloses a system that interfaces query objects, but does not disclose or suggest processing a query statement into a form in accordance with the query model, including identifying at least one type, defining a parent node and a child node, examining each child node, defining a subtype child node, and creating a tree structure representative of the selected query element as recited in claim 58.

The Examiner cited Roth as teaching these features, at, for example, col. 2, lines 22-37. Roth discloses a tree data structure with leaf nodes corresponding to elements of a model, and the tree is traversed based on user interaction with a displayed element of the model. However, Roth's system is concerned with models of three-dimensional objects with geometric aspects, and has nothing to do with query models as recited in claim 58. For example, Roth describes geometric information and coordinates of 3-D objects at col. 1, lines 18-26, and traversing a tree according to a geometric area in which a desired element is positioned in a screen view of the model, at col. 2 lines 43-50. Thus, Roth's model is not a query model for a query statement as recited in claims 44 and 58, such that Goldberg and Roth do not disclose the processing of a query statement into a form of a query model as recited in claim 58.

Applicant therefore believes that claim 58 is patentable over Mocek in view of Rubenstein, Banning, Jacopi, Goldberg, and Roth, and respectfully requests that the rejection under 35 U.S.C. 103 be withdrawn.

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New Claims

New claim 61 is dependent from claim 44 and is patentable over Mocek in view of Rubenstein, Banning, Jacopi, Goldberg, and Roth for at least the same reasons as claim 44, and for additional reasons. For example, claim 61 recites that the at least two selected predicates and the query search condition are displayed as text in a displayed window, and wherein the grouping control is enabled for user selection only in response to the user selecting the at least two predicates as a number of text rows of the displayed query that have a same spatial indentation level at first and last rows of the selected text rows, the spatial indentation level being relative to an edge of the displayed window displaying the query search condition. These features are not disclosed or suggested by the references referred to above.

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,
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